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**To:** Eric Schaaf/R2/USEPA/US@EPA  
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----- Forwarded by Caroline Ahearn/DC/USEPA/US on 04/26/2012 03:18 PM -----

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### **OIL AND GAS: Inhofe to investigate EPA's handling of drilling complaints** *(Wednesday, April 25, 2012)*

**Mike Soraghan, E&E reporter**

The top Republican on the Senate Environment and Public Works Committee announced today he's investigating U.S. EPA's handling of three high-profile reports of drinking water contamination from drilling.

Sen. Jim Inhofe (R-Okla.), one of the most outspoken supporters of drilling in Congress, has taken up the cause armed with a video of EPA Regional Administrator Al Armendariz comparing his enforcement philosophy to ancient Romans crucifying villagers in towns they'd overrun. Late today, Armendariz issued an apology for his remarks.

"I haven't seen much evidence to counter Armendariz's statement that EPA's 'general philosophy' is to 'crucify' and 'make examples' of oil and gas companies, so this investigation is clearly needed," Inhofe said in a speech on the Senate floor.

Late last month, EPA dropped the case Armendariz had brought against Range Resource accusing the company of causing natural gas to leak into the water supply of two homes outside Fort Worth, Texas (*E&ENews PM*, March 30). Armendariz's accusation was aimed not only at Range, but at the state officials who soon after cleared the company. He said state regulators were failing to protect their own residents.

In the weeks before the Range retreat, EPA had also agreed to retest groundwater in Pavillion, Wyo., that it had deemed contaminated with hydraulic fracturing fluid, and announced that its high-profile intervention in Dimock, Pa., had yielded benign results (*EnergyWire*, April 2).

Inhofe said EPA's decision to take on the three cases showed its inclination to regulate hydraulic fracturing, a drilling process it is studying for its effects on drinking water quality.

Launching his investigation, Inhofe sent a six-page list of questions to EPA Administrator Lisa Jackson, focused primarily on the Texas case. He requested a response by May 11.

EPA defended its enforcement approach with an emailed statement from Cynthia Giles, the agency's assistant administrator for Office of Enforcement and Compliance Assurance.

"Strong, fair and effective enforcement of the environmental laws passed by Congress is critical to protecting public health and ensuring that all companies, regardless of industry, are playing by the same rules. Enforcement is essential to the effectiveness of our environmental laws, ensuring that public health is protected and that companies that play by the rules are not at a disadvantage," Giles said. "The same holds true for companies involved in responsible and safe development of our nation's domestic energy resources."

Range Resources took a less combative approach today in its reaction to Inhofe's move. Company spokesman Matt Pitzarella issued a statement saying, "We're pleased that when the EPA in Washington, D.C., examined the case involving Range they allowed facts and science to lead to their withdrawal."

Inhofe has shown himself at times to be more opposed to oil and gas regulations than the industry itself. Inhofe recently lambasted the Obama administration for creating a coordination panel that the American Petroleum Institute had requested.

In his floor speech, Inhofe quoted Armendariz extensively from a [video](#) taken at a 2010 town hall meeting in Dish, Texas. In the video, Armendariz makes a vivid explanation of how he deploys limited enforcement resources.

"I was in a meeting once, and I gave an analogy to my staff about my philosophy of enforcement,

and I think it was probably a little crude and maybe not appropriate for the meeting, but I'll go ahead and tell you what I said. It was kind of like how the Romans used to conquer little villages in the Mediterranean," Armendariz explained.

"They'd go into a little Turkish town somewhere, they'd find the first five guys they saw and they would crucify them. And then you know that town was really easy to manage for the next few years," he said.

He continued, "And so you make examples out of people who are in this case not compliant with the law. Find people who are not compliant with the law, and you hit them as hard as you can and you make examples out of them, and there is a deterrent effect there. And companies that are smart see that, they don't want to play that game, and they decide at that point that it's time to clean up."

*Reporter Jean Chemnick contributed.*

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